



BILLS PASSED

RELATED TO HEALTH CARE REFORM, 2008 ANNUAL GENERAL SESSION

(By Long Title, 4/9/08)

HEALTH CARE PROVIDERS

H.B. 131 Community Based Self Sufficiency Program (*Rep. J. Seelig*)

This bill amends the Access to Health Care part of the Medical Assistance Act in the Health Code.

This bill:

- ▶ authorizes the Department of Health to contract with private entities for community based services for low income individuals and individuals who are underserved in health care to assist them with prudent and appropriate use of health care resources;
- ▶ establishes the purposes of the contracts;
- ▶ amends definitions;
- ▶ directs the department to maximize federal matching dollars for the purpose of funding additional contracts for services;
- ▶ establishes the criteria for awarding the contract; and
- ▶ establishes a pilot program for the contract for services.

This bill appropriates:

- ▶ \$175,000 from the General Fund for fiscal year 2008-09 only, to fund the pilot program for community based services.

HEALTH INFORMATION TECHNOLOGY

H.B. 47¹ Standards for Electronic Exchange of Clinical Health Information (*Rep. R. Menlove*)

This bill adds to the duties of the Department of Health.

This bill:

- ▶ authorizes the Department of Health to adopt standards for the electronic exchange of clinical health information;
- ▶ defines terms;
- ▶ authorizes the department to require individuals who elect to participate in an electronic exchange of clinical health information to use the standards adopted by the department;
- ▶ requires the department to report to the Legislature's Health and Human Services Interim Committee concerning the adoption of the standards for the electronic exchange of clinical health information; and
- ▶ coordinates rulemaking authority between the Department of Health and the Insurance Department.

No monies are appropriated in this bill.

HEALTH INSURANCE

H.B. 133¹ Health System Reform (*Rep. D. Clark*)

This bill requires the Department of Health, the Insurance Department, and the Governor's Office of Economic Development to work with the Legislature to develop the state's strategic plan for health system reform.

This bill:

- ▶ directs the Department of Health to work with the Insurance Department, the Department of Workforce Services, the Governor's Office of Economic Development, and the Legislature to develop a state strategic plan for health system reform;

- ▶ requires the Insurance Department to participate in the development of the state's strategic plan for health system reform;
- ▶ requires the Insurance Department to:
 - work with insurers to develop standards for health insurance applications and compatible electronic systems;
 - facilitate a private sector method of collection of premium payments from multiple sources; and
 - encourage health insurers to develop health insurance products that meet certain criteria;
- ▶ changes the threshold at which an individual qualifies for the state's Comprehensive Health Insurance Pool;
- ▶ changes the eligibility for the individual market so that:
 - if Utah's Premium Partnership for Health Insurance may be used to help purchase an individual policy, an insurer may not deny coverage based on the individual's use of a premium subsidy; and
 - eligibility for Utah's Premium Partnership for Health Insurance is a qualifying event for coverage under an employer plan;
- ▶ requires the Department of Workforce Services to participate in the development of the strategic plan for health system reform;
- ▶ enacts the "Health System Reform Act" which:
 - requires the Governor's Office of Economic Development to serve as the coordinating entity to work with the executive branch agencies, and to report to and assist the Legislature with the state's strategic plan for health system reform; and
 - describes the state's strategic plan for health system reform and the time line for implementing the strategic plan; and
- ▶ establishes the Health System Reform Legislative Task Force to develop and implement the state's strategic plan for health system reform.

This bill appropriates:

- ▶ as an ongoing appropriation, \$615,000, from the General Fund for fiscal year 2008-09 to the Department of Health to be used to fund health care cost and quality data collection, analysis, and distribution;
- ▶ \$500,000 from the General Fund for fiscal year 2008-09 only, to the Department of Health to fund the department's implementation of the standards developed for the electronic exchange of clinical health information;
- ▶ \$32,000 from the General Fund for fiscal years 2008-09 only, to fund the Health System Reform Task Force; and
- ▶ \$350,000 from the General Fund for fiscal year 2008-09 only, to the Health System Reform Task Force to fund professional and actuarial services for the task force.

H.B. 250 Public Employee Benefit Approval Provisions (*Rep. J. Dougall*)

This bill modifies the Public Employees' Benefit and Insurance Program Act by amending provisions related to the determination of state employee insurance benefits.

This bill:

- ▶ requires the Public Employees' Benefit and Insurance

Program (PEHP) to provide the Legislature with its recommended benefit adjustments for state employees; and

- requires that PEHP determine benefits and rates based on the total estimated costs and the employee premium shares established by the Legislature.

No monies are appropriated in this bill.

H.B. 301 Comprehensive Health Insurance Pool Amendments (Rep. J. Dunnigan)

This bill amends the Comprehensive Health Insurance Pool Act and the Individual, Small Employer, and Group Health Insurance Act.

This bill:

- makes amendments to the Comprehensive Health Insurance Pool Act;
- amends provisions in the Individual, Small Employer, and Group Health Insurer Act that relate to the Utah Comprehensive Health Insurance Pool; and
- increases the points required to be considered uninsurable.

No monies are appropriated in this bill.

H.B. 326 Children's Health Insurance Program - Open Enrollment (Rep. G. Curtis)

This bill amends the Utah Children's Health Insurance Act.

This bill:

- makes technical drafting amendments;
- requires the Department of Health to keep enrollment in the Children's Health Insurance Program open so that an eligible child who applies for coverage under the Children's Health Insurance Program can enroll in the program; and
- designates the appropriations to the Utah Children's Health Insurance Program as non-lapsing appropriations.

No monies are appropriated in this bill.

H.B. 342 Insurance Code Amendments (Rep. J. Dunnigan)

This bill modifies the Insurance Code to make various amendments.

This bill:

- modifies definition provisions;
- addresses the Basic Health Care Plan;
- clarifies language related to catastrophic coverage of mental health conditions;
- provides for special enrollment for individuals receiving premium assistance;
- expands the purposes of the Individual, Small Employer, and Group Health Insurance Act; and
- makes additional technical amendments.

No monies are appropriated in this bill.

H.B. 364 Promotion of Health Care Coverage (Rep. K. Holdaway)

This bill amends the Medical Assistance Act and the Individual, Small Employer, and Group Health Insurance Act.

This bill:

- requires the Department of Workforce Services, the State Board of Education, and the Department of Health to:
 - collaborate with one another to develop a process to promote the health insurance awareness and coverage of children in schools;
 - report to the Legislature on the development of the process; and
 - implement the process no later than the 2009-10 school year;
- requires the Department of Workforce Services to promote and facilitate the enrollment of the children

identified in public schools without health insurance in the Utah Children's Health Insurance Program or the Medicaid program; and

- provides that under certain conditions an individual who qualifies for premium assistance under the Utah's Premium Partnership for Health Insurance Program, or the individual's dependents, may enroll in an employer health benefit plan outside an open enrollment period.

This bill appropriates:

- as an ongoing appropriation subject to future budget constraints, \$60,000 from the General Fund for fiscal year 2008-09 to the Division of Health Care Financing within the Department of Health to promote awareness of and facilitate enrollment in the Utah's Premium Partnership for Health Insurance Program.

H.B. 370 Children's Health Insurance Program Amendments (Rep. J. Dunnigan)

This bill amends the Utah Children's Health Insurance Act.

This bill:

- establishes criteria for bids for health insurance program benefits;
- requires the Children's Health Insurance Program to rebid the program at least once every five years; and
- clarifies when the Children's Health Insurance Program may use the non-risk bearing Public Employees Health Plan to provide services to the Children's Health Insurance Program.

No monies are appropriated in this bill.

LONG-TERM CARE

H.B. 445 Nursing Home Amendments (Rep. M. Newbold)

This bill amends the Long-term Care Facility Medicaid Certification part of the Medical Assistance chapter of the Health Code.

This bill:

- permits a Medicaid nursing care facility program to transfer or sell a license for a Medicaid bed to another entity;
- establishes certain requirements that must be met to transfer a license for a Medicaid bed; and
- reduces the total number of licensed Medicaid beds in the state by applying a conversion factor to the licenses for Medicaid certified beds that are transferred.

No monies are appropriated in this bill.

H.J.R. 5 Joint Resolution Urging Support of Medicaid Long-term Care Funding of Home and Community-based Supports (Rep. M. Noel)

This joint resolution of the Legislature urges Utah's congressional delegation to support Medicaid long-term care funding for home and community-based supports, state flexibility to manage long-term care costs, and cost efficiency and individual choice.

This resolution:

- urges Utah's congressional delegation to support the continued shift of Medicaid long-term care funding toward home and community-based supports;
- urges the delegation to support providing states with the flexibility and tools needed to manage Medicaid long-term care costs in a fiscally responsible manner;
- urges the delegation to support providing Medicaid long-term care and supports in the most appropriate and cost-effective manner while maintaining individual choice; and
- urges the delegation to ensure the active participation of people with disabilities and older Americans in the

ongoing design, implementation, and review of Medicaid's long-term care system.

MEDICAID

H.B. 16 Medicaid Coverage for Certain Telehealth Services *(Rep. B. Last)*

This bill amends the Medical Assistance Act in the Health Code.

This bill:

- requires the state Medicaid program to allow the use of telemedicine for certain services that are otherwise reimbursable under the state Medicaid plan;
- provides guidelines for reimbursing for telemedicine services; and
- requires rulemaking.

No monies are appropriated in this bill.

H.B. 74 Medicaid 340b Drug Pricing Programs *(Rep. D. Litvack)*

This bill amends the Medical Assistance Programs chapter in the Health Code.

This bill:

- requires the department to explore the feasibility of expanding the use of 340B drug pricing programs in the state Medicaid program;
- requires the department to report to the Legislature's Health and Human Services Interim Committee and Health and Human Services Appropriations Subcommittee regarding implementation of the expansion of the 340B drug pricing program; and
- sunsets the section on July 1, 2013.

No monies are appropriated in this bill.

H.B. 82 Notice of Changes to the State Medicaid Plan *(Rep. M. Newbold)*

This bill amends the Department of Health's reporting requirements to the Legislature when the department makes a change to the state Medicaid plan.

This bill:

- clarifies the content of the Department of Health's notice to the Legislature when the department makes a change to the state Medicaid plan; and
- makes technical and clarifying changes.

No monies are appropriated in this bill.

H.B. 258 Medicaid Drug Utilization Amendments *(Rep. R. Lockhart)*

This bill amends the Medical Assistance Act.

This bill:

- prohibits the inclusion of immunosuppressive drugs used to prevent transplanted organ rejection:
 - on a preferred drug list for the State Medicaid Program;
 - in step therapy requirements of the Drug Utilization Board; and
 - in generic substitution requirements of the State Medicaid Program.

No monies are appropriated in this bill.

H.B. 366 Medicaid Long Term Care Amendments *(Rep. M. Newbold)*

This bill amends the facility licensing chapter and the medical assistance chapters of the Health Code.

This bill:

- removes the authority of a Medicaid certified nursing care facility to increase its Medicaid certified bed capacity by 30% without Department of Health

oversight;

- eliminates bed banking by nursing care facilities for the purpose of Medicaid reimbursement;
- requires the Department of Health to adjust the Medicaid reimbursement methodology for nursing care facilities, but protects rural nursing care facilities from some of the adjustments; and
- extends the time period for obtaining Medicaid certification for a bed for a nursing care facility providing service to the medically fragile.

No monies are appropriated in this bill.

¹H.B. 133 included the following two appropriations:

- "(1) as an ongoing appropriation, \$615,000, from the General Fund for fiscal year 2008-09 to the Department of Health to be used to fund health care cost and quality data collection, analysis, and distribution;"
- (This appropriation funds the plan established under 2007 H.B. 9, Health Care Cost and Quality Data, (Morley) to collect, analyze, and use data that measures costs and reimbursements for risk-adjusted episodes of care.)*
- "(2) \$500,000 from the General Fund for fiscal year 2008-09 only, to the Department of Health to fund the Department of Health's implementation of the standards developed for the electronic exchange of clinical health information;"
- (This appropriation funds 2008 H.B. 47, Standards for Electronic Exchange of Clinical Health Information, which requires the Department of Health to "adopt standards for the electronic exchange of clinical health information between health care providers and third party payers.)*